

## REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 3,4, 9 ,10, 16, 17, 22, 29 and 31 are requested to be cancelled.

Claims 1, 2, 5, 7, 8, 11, 13, 14, 18, 20, 21, 23, 24, 26, 28, 30 and 32 are currently being amended.

This amendment changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 2, 5-8, 11, 12, 13-15, 18-21, 23-27, 28, 30 and 32 are now pending in this application.

### **Claim Objections**

Claims 1-3, 8, 9, 13, 14, 16, 20 and 26 were objected to for informalities. In response, Applicant amends claims 1, 2, 8, 13, 14, 20 and 26. Applicant respectfully submits that claims 1, 2, 8, 13, 14, 20 and 26 are now in proper form and requests that the objection be withdrawn.

### **Claim Rejections under 35 U.S.C. § 101**

Claims 1-32 were rejected under 35 U.S.C. § 101 as being directed toward non-statutory subject matter. Specifically, the Examiner asserted that claims 1-23 are nonstatutory as being an abstract idea which does not produce a “useful, concrete and tangible result.”

In response, Applicant has amended independent claims 1, 7, 14, 21 and 23 to recite that the present invention manages events in a distributed computing system. The claimed invention is directed toward tangible structure such as a distributed computing system, a management server and a database. In addition, claims 29 and 31 were cancelled.

The claimed invention clearly has practical applications. For example, the claimed invention is capable of coordinating and consolidating a multitude of events from across a distributed computing system. A distributed computing system is a tangible system which may include but is not limited to a computer network, software applications or operating systems installed on the computer network and hardware. (See claim 2.) The claimed invention monitors, controls and reports the status of a distributed computing system based on rules applied to captured events. In turn, the claimed invention may output new events for the distributed computing system based on the application of rules stored in a rules database.

Thus, for at least the reasons mentioned above, claims 1, 2, 5-8, 11, 12, 13-15, 18-21, 23-27, 28, 30 and 32 are statutory subject matter under 35 U.S.C. § 101. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

**Claim Rejections under 35 U.S.C. § 112**

Claims 28-32 were rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, Applicant amends claims 28, 30 and 32 to further define the invention. Claims 29 and 31 are cancelled. Accordingly, Applicant submits that claims 28, 30 and 32 are now allowable and respectfully requests that the rejection be withdrawn.

**Claim Rejection under 35 U.S.C. § 102**

Claims 1-32 were rejected under 35 U.S.C. § 102 in view of U.S. Patent No. 6,832,341 ("Vijayan"). In response, without agreeing or acquiescing the rejection, Applicant amends claims 1, 7, 14, 21, 23 and 24 and cancels claims 3,4, 9, 10, 16, 17, 22, 29, 31. Applicant respectfully submits that claims 1, 2, 5, 7, 8, 11, 13, 14, 18, 20, 21, 23, 24, 26, 28, 30 and 32 are now allowable for the following reasons.

Applicant relies on M.P.E.P. § 2131, entitled "Anticipation – Application of 35 U.S.C. § 102(a), (b) and (e)" which states, " a claim is anticipated only if each and every element set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Applicant respectfully submits that Vijayan does not describe each and every element of independent claims 1, 7, 14, 21, 23 and 24 as amended.

Independent claims 1, 7, 14, 21, 23 and 24 are directed toward a system and method for managing different types of events in a distributed computing system. As stated above, a distributed computing system may be composed of various components including but not limited to a computer network, software applications and operating systems. Each component in the distributed system may output an event. Because a distributed computing system is comprised of various components it is also likely that the events produced by the components in a distributed computing system are of various types and formats.

Accordingly, the claimed invention is a system and method of managing different types of events in a distributed computing system, having an event engine, including the steps of providing one or more intelligent agents for receiving an event and converting the event into a standard format, and inputting the event into the engine. Thus, the invention as claimed in independent claims 1, 7, 14, 21, 23 and 24 can detect failure and performance degradation of any source in the distributed computing system. In addition, the claimed invention can monitor system and application logfiles, general system messages, SNMP traps and variables, hardware components and other variables from software applications running on the distributed computing system.

In contrast, Vijayan discloses a method for monitoring faults within a computer network. Specifically, Vijayan is directed toward integrating changes into a Fault Management System (Col. 1, lines 42-45.) Accordingly, the device disclosed in Vijayan requires that it receive event information solely in the form of an event, host, fault management point (FMP) triplet. (Col. 4, lines 45-49.)

Vijayan does not disclose, teach or suggest a system for excepting events of different types across a distributed computing network. Nor does Vijayan disclose, teach or suggest an intelligent agent for receiving different types of events and converting the events into a standard format as claimed in independent claims 1, 7, 14, 21, 23 and 24. Instead, the device disclosed in Vijayan is hardwired to accept and process a single event, host, fault management point (FMP) triplet. Thus, in contrast to the claimed invention, the application of the device disclosed in Vijayan is limited to fault management.

Accordingly, Applicant asserts that Vijayan does not teach, suggest or disclose each and every element of independent claims 1, 7, 14, 21, 23 and 24 and respectfully requests that

the rejection be withdrawn. In addition, claims 2, 5, 8, 11, 13, 18, 20, 26, 28, 30 and 32 depend from one of claims 1, 7, 14, 21, 23 and 24 and should be allowed at least for the reasons set forth above.

**Conclusion**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date 5/18/06

By 

HEWLETT-PACKARD COMPANY  
Customer No.: 22879  
Telephone: (202) 672-5485  
Facsimile: (202) 672-5399

William T. Ellis  
Registration No. 26,874